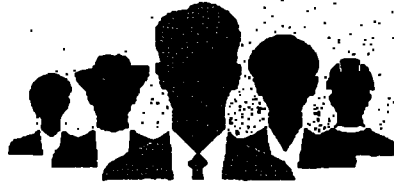


**SENSITIVE**



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2014 SEP 23 AM 11:30

OFFICE OF THE GENERAL  
COUNSEL

2014 SEP 22 PM 3:49

RECEIVED  
FEDERAL ELECTION COMMISSION

September 17, 2014

Office of the General Counsel  
Federal Election Commission  
999 E Street NW  
Washington, D.C. 20463

MUR # 6874

*Re: Complaint Against U.S. Senator Mary Landrieu and Friends of Mary Landrieu*

To Whom It May Concern:

This letter serves as a formal complaint that U.S. Senator Mary Landrieu and her political committee, Friends of Mary Landrieu, have violated federal law. The following is based on information and belief from media reports and documents produced by representatives of U.S. Senator Mary Landrieu and the Friends of Mary Landrieu as noted.

1. On September 12, 2014, counsel for U.S. Senator Mary Landrieu and the Friends of Mary Landrieu notified the Senate Select Committee on Ethics that on 43 occasions from February 6, 2002 to present, U.S. government funds were used to pay for political and fundraising activities benefiting Senator Landrieu's re-election campaign. *See attached letter from counsel to the chair and vice-chair of the Select Committee on Ethics.* Specifically, according to the letter, the Office of Senator Mary Landrieu expended \$33,727.02 of U.S.

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by Senator Landrieu and the Friends of Mary Landrieu and related repayment of taxpayer dollars would have occurred in the absence of this media report.

6. Senator Landrieu was first elected to the U.S. Senate sixteen years ago, in 1998. However, counsel's review of charter flight expenses charged to the U.S. government by Senator Landrieu was limited to the period of February 6, 2002 to present. According to the letter to the Senate Select Committee on Ethics, Senator Landrieu's first four years in office were not reviewed because the Senate revised its rules regarding mixed-purpose travel (travel related to both official duties and campaign activities) on February 6, 2002. The Friends of Mary Landrieu makes a similar assertion in a statement provided to the media on September 12, 2014:

Before the February 6, 2002 Federal Election Commission clarification, the rules did not permit allocation between campaign and official accounts; depending on the purpose of the trip, costs would be paid either with official funds or with campaign funds. Therefore, counsel conducted a thorough review of the Senator's allocation of costs on mix purpose trips from February 6, 2002 until present day.

*See attached report of NOLA.com/The Times-Picayune.*

7. However, the travel-related activities of Senator Landrieu and the Friends of Mary Landrieu prior to February 6, 2002 are no less relevant than the activities that took place after the Senate rule change. Payment of campaign expenses with government funds was prohibited prior to February 6, 2002 just as it remains prohibited today. While the cost of mixed-purpose travel may currently be prorated between the campaign and the Senate office under F.E.C. regulations, prior to February 6, 2002, the campaign was required to pay the full cost. *See 67 FR 5445-6 and attached U.S. Senate Select Committee on Ethics Notice of Change in FEC Allocation of Expenses for Certain Mixed-Purpose Travel (February 14, 2002).*
8. At least one recent charter flight improperly billed to the federal government by Senator Landrieu did not involve mixed-purpose travel: the sole purpose

of the \$3,224.08 November 8, 2103 charter flight referenced above was to transport Senator Landrieu to a fundraising event for her re-election campaign. This is not merely a "bookkeeping mistake" (see quote attributed to Senator Landrieu in *attached report of NOLA.com/The Times-Picayune*) or a misapplication of the proration rule. The pattern of prohibited behavior over an extended period of time by Senator Landrieu and the Friends of Mary Landrieu suggests similar violations occurred prior to February 6, 2002.

Based on the forgoing and the admissions that Senator Landrieu and the Friends of Mary Landrieu used funds of the U.S. government to pay for political campaign activities, I respectfully request that the F.E.C. take enforcement action against Senator Landrieu and her campaign committee to ensure that taxpayer resources are not used for political gain in violation of federal law. Further, I respectfully request the F.E.C. review the campaign-related travel costs charged to the U.S. government during each year Mary Landrieu has been a member of the U.S. Senate i.e., for the period of January 1, 1999 to present.

Sincerely,



Emily Cornell  
Emily@KeepLouisianaWorking.com

Sworn to and subscribed before Bryan Jeansonne, notary public commissioned and qualified in the State of Louisiana, on the 17 day of September 2014.

  
Notary Public

12161164.1

Bryan G. Jeansonne  
Attorney at Law/Notary Public  
State of Louisiana  
Notary #31479  
Notary ID #87152  
Notary Expires 08/31/2018



Marc Erik Elias  
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FAX (202) 654-9126  
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September 12, 2014

**HAND DELIVERED**

Senator Barbara Boxer, Chair  
Senator Johnny Isakson, Vice Chair  
Select Committee on Ethics  
220 Hart Building  
United States Senate  
Washington, DC 20510

**Re: Senator Mary Landrieu Mixed Purpose Travel Reimbursements**

Dear Chairman Boxer and Vice Chairman Isakson:

We are writing on behalf of Senator Mary Landrieu to inform the Committee that, as counsel to Senator Landrieu and Friends of Mary Landrieu, Inc., we have conducted a thorough review of all available records covering the Senator's use of official Senate funds for private charter flights from February 6, 2002 -- when the Federal Election Commission announced that mixed-purpose travel may be paid for using a mix of campaign and allocated funds<sup>1</sup> -- until the present.

We have carefully analyzed the records of each trip for which the Senator used official funds to pay for private charter flights to identify any campaign activity. In the instances where mixed purpose trips were paid for with official funds, we calculated the appropriate pro-rated share of the invoiced cost owed by Friends of Mary Landrieu. To determine the proper pro-rated share for each mixed purpose trip, we analyzed the number, nature and length of events involved.

The results of our analysis on a per-trip basis is attached. We have determined the net amount owed by Friends of Mary Landrieu to be \$33,727.02. Today, Friends of Mary Landrieu, Inc. sent a check in that amount to the U.S. Department of the Treasury. Note that for one trip the associated schedule is unavailable and the campaign conducted some activity. Out of an

<sup>1</sup> Interpretation of Allocation of Candidate Travel Expenses, 67 Fed. Reg. 5445-01 (Feb. 6, 2002).

LEGAL123400139.1

ANCHORAGE BIRMINGHAM BOSTON CHICAGO DALLAS DENVER LOS ANGELES MADISON NEW YORK  
PALM BEACH PHOENIX PORTLAND SAN DIEGO SAN FRANCISCO SEATTLE SHANGHAI TAMPA WASHINGTON DC

Perkins Coie LLP

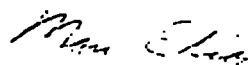
Senator Barbara Boxer, Chair  
September 12, 2014  
Page 2

abundance of caution, we attributed the full invoiced cost of the private charter flight to the campaign.

Please also note that from this point forward any use of official funds to pay for private charter flights will be cleared in advance by counsel. Further, Senator Landrieu will establish an operating account pursuant to Committee guidance. Going forward, the pro-rated share of the cost of private charter flights owed by the campaign will be deposited in the Senator's operating account.

Please let us know if you would like any further information regarding this matter.

Very truly yours,



Marc Erik Elias  
Jacquelyn K. Lopez  
Counsel to Senator Mary Landrieu

Trip Start Date	Trip End Date	Total Invoiced cost	Total # Events	Campaign events	Hrs on official event	Hrs at campaign event	Net time (hrs)	Prorated time ratio	Estimated prorated campaign share	Amount unpaid
2/21/2002	2/22/2002	\$3,278.75	11	1	10.58	2	12.58	15.90%	\$521.26	\$521.26
3/16/2002	3/18/2002	\$2,633.75	13	1	18.23	2.5	20.73	12.06%	\$0.00	\$0.00
4/2/2002	4/4/2002	\$1,939.84	18	2	14	4	18	22.22%	\$431.08	\$431.08
1/3/2003	1/5/2003	\$3,202.68	11	0	1	0	1	0.00%	\$0.00	\$0.00
1/20/2003	1/21/2003	\$1,486.50	6	0	1	0	1	0.00%	\$0.00	\$0.00
3/24/2003	3/25/2003	\$1,386.00	5	0	1	0	1	0.00%	\$0.00	\$0.00
5/27/2003	5/29/2003	\$3,396.63	13	0	1	0	1	0.00%	\$0.00	\$0.00
6/28/2003	7/4/2003	\$1,527.02	10	0	1	0	1	0.00%	\$0.00	\$0.00
8/22/2003	8/22/2003	\$1,628.00	1	0	1	0	1	0.00%	\$0.00	\$0.00

10/17/2003	10/21/2003	\$1,208.60	11	0	1	0	1	0	1	0.00%	\$0.00	\$0.00
12/3/2003	12/7/2003	\$1,428.80	16	1	23.24	1.5	24.74	6.06%	\$0.00	\$0.00	\$0.00	\$0.00
4/4/2004	4/6/2004	\$1,203.10	10	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00	\$0.00
6/28/2004	6/30/2004	\$2,095.00	9	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00	\$0.00
8/12/2004	8/14/2004	\$1,061.50	5	1	18.67	2.08	20.75	10.02%	\$0.00	\$0.00	\$0.00	\$0.00
9/25/2004	9/26/2004	\$1,927.90	5	0	4	0	4	0.00%	\$0.00	\$0.00	\$0.00	\$0.00
12/2/2004	12/2/2004	\$1,302.25	1	1	0	1	1	100.00%	\$1,302.25	\$1,302.25	\$1,302.25	\$1,302.25
2/27/2005	2/28/2005	\$2,372.00	4	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00	\$0.00
5/3/2005	5/5/2005	\$1,310.00	13	2	18.31	2.67	20.98	12.73%	\$0.00	\$0.00	\$0.00	\$0.00
5/31/2005	6/3/2005	\$1,540.00	18	6	19.75	11.5	31.25	36.80%	\$566.72	\$566.72	\$566.72	\$566.72

1 No schedule available; full amount attributed to the campaign out of an abundance of caution.

6/24/2005	6/26/2005	\$1,645.00	9	3	10.08	4.75	14.83	32.03%	\$526.89	\$526.89
7/19/2005	7/19/2005	\$536.25	1	0	1	0	1	0.00%	\$0.00	\$0.00
7/22/2005	7/24/2005	\$950.00	5	3	5.33	6	11.33	52.96%	\$503.09	\$503.09
8/11/2005	8/15/2005	\$3,650.00	15	4	18.75	8	26.75	29.91%	\$1,091.59	\$1,091.59
8/19/2005	8/29/2005	\$1,655.00	16	6	25.75	13.25	39	33.97%	\$562.28	\$562.28
9/15/2005	9/17/2005	\$1,501.50	4	0	1	0	1	0.00%	\$0.00	\$0.00
10/13/2005	10/14/2005	\$1,595.00	2	0	1	0	1	0.00%	\$0.00	\$0.00
11/23/2005	11/29/2005	\$2,734.53	3	0	1	0	1	0.00%	\$0.00	\$0.00
1/6/2006	1/7/2006	\$1,612.10	2	0	1	0	1	0.00%	\$0.00	\$0.00
2/20/2006	2/23/2006	\$5,392.20	12	1	18.24	2	20.24	9.88%	\$0.00	\$0.00
3/22/2006	3/24/2006	\$1,853.69	7	0	1	0	1	0.00%	\$0.00	\$0.00

6/5/2006	6/6/2006	\$2,904.38	3	2	2.67	3.75	6.42	58.41%	\$1,696.48	\$1,696.48
6/10/2006	6/11/2006	\$2,351.45	1	0	1	0	1	0.00%	\$0.00	\$0.00
8/8/2006	8/13/2006	\$3,371.15	19	5	27.58	11.75	39.33	29.88%	\$1,007.14	\$1,007.14
8/24/2006	8/29/2006	\$5,375.09	12	1	13.74	2	15.74	12.71%	\$0.00	\$0.00
9/22/2006	9/24/2006	\$8,408.38	8	0	1	0	1	0.00%	\$0.00	\$0.00
11/28/2006	11/29/2006	\$3,914.20	4	0	1	0	1	0.00%	\$0.00	\$0.00
12/1/2006	12/4/2006	\$2,208.15	5	1	8.75	2.5	11.25	22.22%	\$490.70	\$490.70
1/26/2007	1/29/2007	\$2,928.15	7	1	20.75	1.75	22.5	7.78%	\$0.00	\$0.00
2/19/2007	2/19/2007	\$1,290.00	1	0	1	0	1	0.00%	\$0.00	\$0.00
4/10/2007	4/11/2007	\$3,520.70	1	0	1	0	1	0.00%	\$0.00	\$0.00
5/28/2007	5/29/2007	\$2,976.90	1	0	1	0	1	0.00%	\$0.00	\$0.00

6/15/2007	6/17/2007	\$1,629.46	7	0	1	0	1	0	1	0.00%	\$0.00	\$0.00
7/2/2007	7/8/2007	\$3,406.65	14	1	21.83	1	22.83	4.38%	\$0.00	\$0.00	\$0.00	\$0.00
8/26/2007	8/30/2007	\$758.52	10	1	15.16	2.5	17.66	14.16%	\$107.38	\$107.38	\$107.38	\$107.38
11/1/2007	11/3/2007	\$2,493.55	1	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00	\$0.00
12/3/2007	12/4/2007	N/A -- no campaign events; no invoice available	2	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00	\$0.00
12/23/2007	1/2/2008	\$2,372.00	1	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00	\$0.00
1/20/2008	1/21/2008	\$2,092.29	1	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00	\$0.00
2/1/2008	2/4/2008	\$2,857.89	4	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00	\$0.00
2/20/2008	2/23/2008	\$2,590.75	11	7	6.75	25.5	32.25	79.07%	\$2,590.75	\$2,590.75	\$2,590.75	\$2,590.75
4/2/2008	4/22/2008	\$2,606.13	7	3	9	6.83	15.83	43.15%	\$1,124.44	\$1,124.44	\$1,124.44	\$1,124.44

5/16/2008	5/18/2008	\$2,739.88	8	2	11.33	4.5	15.83	28.43%	\$778.87	\$778.87
8/8/2008	8/15/2008	\$2,365.69	29	10	48.08	20.25	68.33	29.64%	\$701.09	\$701.09
9/13/2008	9/14/2008	\$860.00	1	0	1	0	1	0.00%	\$0.00	\$0.00
11/25/2008	12/4/2008	\$4,299.88	3	0	1	0	1	0.00%	\$0.00	\$0.00
12/18/2008	12/20/2008	\$2,719.00	3	0	1	0	1	0.00%	\$0.00	\$0.00
1/9/2009	1/10/2009	\$3,744.88	3	0	1	0	1	0.00%	\$0.00	\$0.00
4/6/2009	4/14/2009	\$1,748.70	7	0	1	0	1	0.00%	\$0.00	\$0.00
4/13/2009	4/14/2009	\$6,490.83	5	0	1	0	1	0.00%	\$0.00	\$0.00
5/7/2009	5/9/2009	\$3,650.53	3	0	1	0	1	0.00%	\$0.00	\$0.00
5/30/2009	6/1/2009	\$865.00	4	1	6.33	2.66	8.99	29.59%	\$255.94	\$255.94
7/17/2009	7/17/2009	\$3,349.58	3	0	1	0	1	0.00%	\$0.00	\$0.00

8/26/2009	8/29/2009	\$3,390.50	11	0	1	0	1	0	0.00%	\$0.00	\$0.00
9/25/2009	9/26/2009	\$4,199.70	8	0	1	0	1	0	0.00%	\$0.00	\$0.00
10/23/2009	10/26/2009	\$2,979.50	3	1	12.25	1.75	14	12.50%	\$0.00	\$0.00	\$0.00
1/7/2010	1/7/2010	\$1,052.50	1	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00
1/10/2010	1/11/2010	\$3,010.95	2	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00
3/29/2010	3/30/2010	\$3,314.35	5	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00
4/29/2010	4/30/2010	\$3,878.73	2	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00
5/14/2010	5/16/2010	\$2,833.58	5	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00
8/15/2010	8/19/2010	\$7,336.65	12	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00
10/19/2010	10/21/2010	\$1,364.00	4	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00
10/26/2010	10/28/2010	\$7,542.00	4	1	4	2	6	33.33%	\$2,514.00	\$2,514.00	\$2,514.00

11/21/2010	11/23/2010	\$1,810.50	3	0	1	0	0.00%	\$0.00	\$0.00
12/6/2010	12/6/2010	\$3,851.28	2	0	1	0	0.00%	\$0.00	\$0.00
1/21/2011	1/23/2011	\$2,604.33	4	0	1	0	0.00%	\$0.00	\$0.00
5/16/2011	5/17/2011	\$1,892.50	3	0	5	0	0.00%	\$0.00	\$0.00
5/31/2011	6/2/2011	\$5,065.35	1	0	1	0	0.00%	\$0.00	\$0.00
8/8/2011	8/11/2011	\$3,543.68	16	4	20.5	10.07	32.94%	\$1,167.32	\$1,167.32
11/11/2011	11/14/2011	\$2,228.08	8	0	1	0	0.00%	\$0.00	\$0.00
1/27/2012	1/30/2012	\$4,018.65	5	1	15.5	2.25	12.68%	\$0.00	\$0.00
2/26/2012	2/27/2012	\$6,934.80	1	0	1	0	0.00%	\$0.00	\$0.00
3/10/2012	3/12/2012	N/A -- no campaign events; no invoice available	4	0	1	0	0.00%	\$0.00	\$0.00

3/25/2012	3/26/2012	\$3,943.93	1	0	1	0	1	0	1	0.00%	\$0.00	\$0.00
5/4/2012	5/7/2012	N/A -- no campaign events; no invoice available	10	0	1	0	1	0	1	0.00%	\$0.00	\$0.00
5/30/2012	6/1/2012	\$6,211.65	7	0	1	0	1	0	1	0.00%	\$0.00	\$0.00
6/8/2012	6/10/2012	N/A -- no campaign events; no invoice available	5	0	1	0	1	0	1	0.00%	\$0.00	\$0.00
7/8/2012	7/10/2012	\$4,347.49	8	0	1	0	1	0	1	0.00%	\$0.00	\$0.00
8/21/2012	9/9/2012	\$709.50	22	8	26.67	15.83	42.5	37.25%	\$264.27	\$264.27	\$264.27	\$264.27
10/17/2012	10/19/2012	\$3,437.23	7	2	8.84	3.75	12.59	29.79%	\$1,023.80	\$1,023.80	\$1,023.80	\$1,023.80
11/9/2012	11/13/2012	\$3,955.08	14	3	14.67	6	20.67	29.03%	\$1,148.06	\$1,148.06	\$1,148.06	\$1,148.06
12/7/2012	12/9/2012	\$917.55	7	2	4.9	4.58	9.48	48.31%	\$413.29	\$413.29	\$413.29	\$413.29

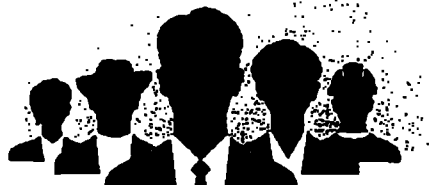
1/25/2013	1/25/2013	\$1,600.00	3	0	1	0	1	0	1	0.00%	\$0.00	\$0.00
3/22/2013	3/26/2013	\$3,374.58	11	2	14.08	4.17	18.25	22.85%	\$771.07	\$771.07	\$771.07	\$771.07
3/26/2013	3/26/2013	\$3,052.08	3	0	1	0	1	0.00%	\$0.00	\$0.00	\$0.00	\$0.00
5/13/2013	5/13/2013	\$3,516.55	5	1	5	1.25	6.25	20.00%	\$703.31	\$703.31	\$703.31	\$703.31
5/17/2013	5/20/2013	\$3,783.08	13	2	22.17	3.83	26	14.73%	\$557.28	\$557.28	\$557.28	\$557.28
5/28/2013	6/1/2013	\$4,717.68	9	5	9.67	9.58	19.25	49.77%	\$2,347.81	\$2,347.81	\$2,347.81	\$2,347.81
8/3/2013	8/16/2013	\$9,789.77	32	7	51	21.75	72.75	29.90%	\$2,926.84	\$2,926.84	\$2,926.84	\$2,926.84
9/20/2013	9/23/2013	\$5,721.23	6	2	8.55	3.5	12.05	29.05%	\$1,661.77	\$1,661.77	\$1,661.77	\$1,661.77
10/26/2013	10/28/2013	\$6,213.50	2	1	2.17	2.75	4.92	55.89%	\$3,472.99 <sup>2</sup>	\$3,472.99 <sup>2</sup>	\$652.69	\$652.69
11/8/2013	11/11/2013	\$3,224.08	5	3	3.67	5.75	9.42	61.04%	\$1,967.99 <sup>3</sup>	\$1,967.99 <sup>3</sup>	-\$1,256.10	-\$1,256.10

<sup>2</sup> The campaign paid \$2,820.30 of the invoiced amount.

<sup>3</sup> The campaign paid \$3,224.09 of the invoiced amount, resulting in overpayment.

1/19/2014	1/26/2014	24	11	24.08	25	49.08	50.94%	\$1,153.13	\$1,153.13
3/19/2014	3/24/2014	18	13	6.5	27.83	34.33	81.07%	\$3,390.53	\$3,390.53

二



## **KEEP LOUISIANA WORKING**

4845 Jamestown Ave. Suite 208 Baton Rouge, LA 70808

Office: (225) 341-1709

[www.KeepLouisianaWorking.com](http://www.KeepLouisianaWorking.com)

August 14, 2014

Office of the General Counsel  
Federal Election Commission  
999 E Street NW  
Washington, D.C. 20463

*Re: Complaint Against U.S. Senator Mary Landrieu and Friends of Mary Landrieu*

To Whom It May Concern:

This letter serves as a formal complaint that U.S. Senator Mary Landrieu and her political committee, Friends of Mary Landrieu, have violated federal law. The following is based on information and belief from media reports, unless otherwise noted.

1. On August 12, 2014, the Friends of Mary Landrieu publicly acknowledged that on at least one occasion, on November 8, 2013, U.S. government funds were used to pay for political and fundraising activities that benefited her re-campaign for the U.S. Senate. See attached CNN report. Specifically, the Office of Senator Mary Landrieu expended \$3,224.08 for a November 8, 2013 charter flight from New Orleans, Louisiana to Lake Charles, Louisiana for the purpose of transporting Senator Landrieu to a campaign fundraising event.

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2. The fundraising event in Lake Charles, Louisiana was titled a "Women's Luncheon to re-elect U.S. Senator Mary Landrieu" and photos of the Senator greeting supporters at the event were posted on Twitter by the Friends of Mary Landrieu. See attached image of invitation and photo of Senator Landrieu.
  3. The use of government funds by Senator Landrieu to further campaign or political activities is a violation of federal law. Federal government monies and resources may be used for official purposes only. See 31 U.S.C. § 1301(a) and Senate Ethics Manual, 2003 Edition, Page 146.
  4. The failure of the Friends of Mary Landrieu to pay for and report the \$3,224.08 expenditure for air transportation to a campaign fundraising event is a violation of federal law. See 2 U.S.C. 432(e) and 2 U.S.C. § 434(b). Expenditures made to promote Senator Landrieu's candidacy must be paid for with campaign funds and reported to the Federal Elections Commission ("F.E.C").
  5. According to the Friends of Mary Landrieu, the luncheon fundraising event was the Senator's sole purpose for her air travel from New Orleans to Lake Charles on November 8, 2013. According to the Office of Senator Mary Landrieu, the fundraising event prevented her from accompanying President Obama during his visit to New Orleans at any time on November 8, 2013. See attached *Talking Points Memo* article.
  6. The violations of federal law by Senator Landrieu and the Friends of Senator Landrieu came to light as a result of a July 31, 2014 *USA Today* article documenting \$47,000 of U.S. government funds spent by Senator Landrieu on charter flights. See attached *USA Today* report. Four days following the article's publication and nearly nine months after the Senator's charter flight, the Friends of Mary Landrieu finally agreed to reimburse the federal government \$3,224.08 for the Lake Charles trip.
  7. Senator Landrieu's travel was not "mixed purpose" travel designed to transport her to events related to her campaign for re-election as well as to events related her official duties as a U.S. Senator. Accordingly, payment for

the charter flight with U.S. government funds is prohibited and Senator Landrieu and the Friends of Mary Landrieu remain in violation federal law and F.E.C. regulations despite reimbursement of the government for the prohibited \$3,224.08 political expenditure nine months after it occurred.

See 11 C.F.R. § 106.3 and Senate Ethics Manual, 2003 Edition, Page 119.

Based on the forgoing and the admission by the Friends of Mary Landrieu that U.S. government monies were used to pay for political campaign activities, I respectfully request that the F.E.C. take enforcement action against Senator Landrieu and her campaign committee to ensure that taxpayer resources are not used for political gain in violation of federal law.

Sincerely,

Emily Cornell  
Emily@KeepLouisianaWorking.com

Sworn to and subscribed before XXX XXXXX, notary public commissioned and qualified in the State of Louisiana, on the 14<sup>th</sup> day of August 2014.

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Notary Public

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## Senators spent \$1 million on charter flights last year

USA Today

Donovan Slack and Paul Singer

July 31, 2014

<http://www.usatoday.com/story/news/politics/2014/07/31/senators-charter-1million-flights/13379561/>

WASHINGTON — Last summer, Sen. Mark Warner, D-Va., embarked on what his office trumpeted as a four-day, 1,000-mile trip across his state, with press releases noting he "woke up early to hit the road," making stops at a minor league ballpark, a craft brewery and a Roanoke rail yard, among others.

But for several hundred of those miles, Warner was not hitting the road — he was flying a chartered jet at a cost to taxpayers of \$8,500.

Warner was one of two dozen U.S. senators who flew taxpayer-funded charter airplanes to, from or around their home state last year at a total cost of just under \$1 million, according to a USA TODAY analysis of Senate spending records compiled by the nonpartisan Sunlight Foundation.

Senators pay for their official duties from taxpayer-funded accounts set aside for them to cover costs of staff, travel, office supplies and the like. The rules allow them to use these accounts to pay for charter aircraft for official travel when commercial flights "are not such that reasonable schedules may be kept." Senators decide which way to travel, and some eschewed private jets in favor of flying commercial or simply driving.

Warner's 1,000-mile trip took him to the far reaches of western Virginia, which is pretty remote territory with no commercial airports. But a month earlier, Virginia's other U.S. senator, Tim Kaine, made a swing to the same corner of the state by car; his travel cost taxpayers \$691. Both Warner and Kaine are Democrats representing the state that is closest to the U.S. Capitol.

"Sen. Warner is a road warrior, and he insists on a schedule that goes from dawn to dusk," said Kevin Hall, Warner's spokesman. "He spent 75 days on the road in Virginia last year, and that does not include events here in Northern Virginia."

Hall said the road trip involved 25 public events across the state. "Using a plane to get from one end of the state to the other freed-up more than 12 hours of driving time, and this allowed us to schedule several additional events and create more opportunities to meet with our Virginia constituents."

Many of the senators reporting charter flights hail from large and sparsely populated states. For instance, Republican John Barrasso of Wyoming reported charter flights totaling \$83,000 in 2013, including a \$3,700 trip to Cowley, Wyo., a town of fewer than 1,000 people on the state's northern border. His colleague

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Mike Enzi, also a Republican, spent just under \$32,000 on charter flights last year. Both offices said the geography of the state required charter travel to reach constituents.

But the top two charter fliers in 2013 were Sens. Charles Schumer and Kirsten Gillibrand, both Democrats of New York — a large but more densely populated state with a lot of commercial transportation options.

Schumer on several occasions spent more than \$5,000 from his office account to charter planes between New York City and Albany, Buffalo and Rochester, even though cheaper commercial flights and trains link the cities. Gillibrand regularly chartered flights from Washington to places in New York with multiple transportation options.

Aides to Gillibrand and Schumer said their schedules precluded them from traveling by other means. Schumer spokesman Matt House tried to dispel any notion that the senator was charging taxpayers for high-flying luxuries.

"It is not possible to keep this rigorous a schedule by flying on commercial airlines alone, so he also travels on a small, four-seat propeller plane with no bathroom that's not even big enough to stand up in," House said.

In some cases senators representing the same state split on whether to fly charters.

For instance, Sen. Mary Landrieu, a Democrat, spent \$47,000 on charter flights in 2013, including a \$5,500 round trip flight between New Orleans and Lake Charles, La., 200 miles to the west. Landrieu spokesman Matthew Lehner said chartering planes allowed the senator to reach more areas of the state more quickly.

"This alleviates the need for multi-day stopovers and maximizes the senator's interaction with her constituents," he said.

But Republican David Vitter, the other Louisiana senator, reported no charter flights. His spokesman, Luke Bolar, said the senator always flies commercial and drives rather than flies around Louisiana.

In Texas, Sen. Ted Cruz, a Republican, spent about \$18,000 on charter flights around the state. "We will sometimes use a charter when there is not a commercial flight available to get him between official events scheduled in the state," Cruz spokeswoman Catherine Frazier said.

"As you know, Texas is a rather large state, and we do our best to maximize his time with constituents in different regions," Frazier said. But the Lone Star State's other senator, Republican John Cornyn, used only commercial transportation.

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In West Virginia, Sen. Joe Manchin recorded no charter flights in 2013, while fellow Democratic Sen. Jay Rockefeller, who announced at the beginning of last year that he would not run for re-election, took \$91,000 worth of charter flights. Rockefeller's office did not respond to requests for comment on this story.

Overall, 14 Republicans, nine Democrats and one independent reported charter flights in 2013, but Democrats spent \$638,000 of the \$920,000 total spent on charters.

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Everything New Orleans

## Republicans say Mary Landrieu flight report missing key years, demand investigation

Cole Avery, NOLA.com | The Times-Picayune By Cole Avery, NOLA.com | The Times-Picayune

on September 15, 2014 at 12:40 PM, updated September 15, 2014 at 8:22 PM

Republicans are demanding Democratic Sen. **Mary Landrieu** provide a more thorough report of her flights during the full time she's spent in office. Landrieu released the results of an internal investigation on Friday that found she **spent more than \$33,700 in Senate money** on 43 flights to 136 campaign events dating back to 2002.

Landrieu initially said she'd release all of her flight records dating back 16 years to the beginning of her first term, however, the investigation stopped at a February 2002 rules changed that allowed for prorated flights when trips had mixed official/campaign functions.

Before then, only one account -- either the Senate or the campaign -- could pay for the entirety of a flight. Under those rules any campaigning, even incidental, would necessitate the campaign paying for the flight.

When asked specifically why the pre-2002 flights were not included in the report, Landrieu's campaign would only refer to a statement released Friday: "Before the February 6, 2002 Federal Election Commission clarification, the rules did not permit allocation between campaign and official accounts; depending on the purpose of the trip, costs would be paid either with official funds or with campaign funds. Therefore, counsel conducted a thorough review of the Senator's allocation of costs on mix purpose trips from February 6, 2002 until present day," said Marc Elias, Landrieu's counsel who conducted the review, in a statement.

That response has not satisfied Republican calls for more answers.

"Sen. Landrieu simply lied about releasing all of her travel records. Less than one month ago she emphatically told Louisianans she would release flight records for 'all 16 years,'" said John Cummins, spokesperson for challenger Rep. **Bill Cassidy**. "Given Sen. Landrieu's admission of lax oversight, those trips are incredibly important in determining how much Louisiana taxpayers are still owed."

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# United States Senate

SELECT COMMITTEE ON ETHICS

HART SENATE OFFICE BUILDING, ROOM 220

SECOND AND CONSTITUTION AVENUE, NE.

WASHINGTON, DC 20510-6425

TELEPHONE (202) 224-2981

February 14, 2002

## Notice of a Change in the FEC Allocation of Expenses for Certain Mixed-Purpose Travel

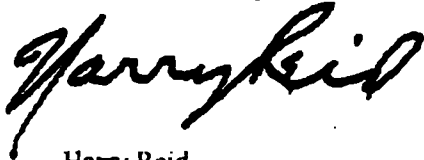
Dear Colleague:

On February 6, 2002, the Federal Election Commission (FEC) clarified the scope of its travel expense allocation regulation concerning mixed purpose travel, i.e. a trip that involves stops for campaign as well as official activities (see 67 FR 5445-6). It is the Committee's understanding that as clarified the FEC regulation will allow expenses for a trip that is mixed purpose to be pro-rated between expenses of (i) official travel paid with Senate funds and (ii) campaign travel paid with campaign funds, to appropriately reflect the travel expenses associated with each purpose of the trip.

Previously, the FEC regulation (11 CFR 106.3; as incorporated in Senate Ethics Manual, p. 119) on mixed travel was perceived as requiring a Legislative candidate whose trip involved both campaign-related and non-campaign-related stops to pay for travel costs with campaign funds as calculated on an actual cost-per mile basis, starting the point of origin of the trip, including each campaign-related stop and ending at the point of origin of the trip. In interpreting its regulation, the FEC makes it clear that the allocation and reporting requirements of 11CFR 106.3 are not applicable to the extent that a candidate pays for travel expenses using funds authorized and appropriated by the Federal Government.<sup>1</sup> The FEC notes that use of Federal funds is governed by appropriations statutes and that mixed purpose travel is subject to Congressional oversight, specifically Ethics Committee rulings.

Under the Committee's rulings (see Senate Ethics Manual, p. 118-19, but disregard Example 12, which is no longer apt), expenses for such a mixed purpose trip may be pro-rated on a reasonable basis (i.e. proration should be based on an evaluation of the number, nature, length, and efforts dedicated to the various events) to accurately reflect the purposes of the trip. Alternatively, a Senator could use campaign or personal funds to pay for the entire cost of the trip. For example: if a Senator flies to a state for two campaign and two official events, (i) absent something unusual in the character of the events, Ethics Committee rulings<sup>2</sup> would permit the transportation to be equally divided between appropriated funds and campaign funds (if evaluation of the factors noted above so indicates, this equal division should be adjusted as necessary to accurately reflect the purposes of the travel), or (ii) the campaign or the Senator's funds may be used to pay for all of the transportation. As always, caution in the expenditure of official funds is advised.

If you have any questions about this matter, please do not hesitate to contact the Committee at 4-2981.



Harry Reid  
Chairman

Sincerely,



Pat Roberts  
Vice Chairman

<sup>1</sup>The FEC reasoned that the Federal Election Campaign Act (2 USC 431 *et seq.*), which applies to a contribution or expenditure made by a "person" (as defined under the Act) for the purpose of influencing a Federal election, expressly excludes the Federal Government in the statutory definition of the term "person."

<sup>2</sup>The Committee on Rules and Administration has sole jurisdiction over appropriated funds and, therefore, must approve any expenditure of Senate funds.

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Everything New Orleans

## Mary Landrieu internal investigation finds \$33,700 in improperly charged flights

Cole Avery, NOLA.com | The Times-Picayune By Cole Avery, NOLA.com | The Times-Picayune

on September 12, 2014 at 2:22 PM, updated September 12, 2014 at 11:40 PM

Democratic Sen. **Mary Landrieu** on Friday released the findings of an internal investigation into her travel that found more than \$33,700 in campaign flights were charged to her Senate account.

The report found 136 campaign functions were conducted during 43 trips paid for by the Senate office dating back to 2002.

Landrieu said in a release she reported the errors to the Senate Ethics Committee and fully repaid the Treasury with campaign funds.

"The review I ordered last month found these mistakes stemming from sloppy book keeping. I take full responsibility. They should have never happened, and I apologize for this," Landrieu said. "A new system has been established that has been successfully used by a number of senate offices to provide a safeguard from this happening in the future."

Landrieu released the report four days after the initial self-imposed deadline of Sept. 8.

Landrieu's campaign commissioned the **Perkins Coie** law firm to review the senator's travel during her 18 years in the Senate after **media reports** surfaced she'd used Senate cash to fly to fundraisers.

The **report** found that Landrieu's official office paid \$33,727.02 -- about 11 percent of the total amount her official office paid for chartered flights during that time -- should have been prorated and paid by her campaign.

In 2002, Senate and Federal Election Commission rules changed that required and allowed travel to locations with both official and campaign events to be prorated if campaign events represented more than 15 percent of the total time.

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Before that time, the rules did not permit splitting trips. Only one account could be used to pay for a trip.

The campaign paid for separate flights for campaign travel totaling \$202,330.13 during the same time as the report.

The plane controversy has given Republican challengers Rep. **Bill Cassidy** and **Rob Maness** ammunition to hound Landrieu as the highly competitive race enters the final few weeks.

Both have called it irresponsible and an example of Landrieu being a Washington insider.

Cassidy's campaign questioned what might be found in the travel records between 1997 and 2002.

"Sen. Landrieu cites a rule change in 2002, but prior to that, it was also illegal to bill taxpayers for private flights. Given Sen. Landrieu's own admission of faulty oversight, how do taxpayers know that problems did not exist prior to 2002?" said Cassidy spokesman John Cummins.

Maness called both Cassidy and Landrieu "creatures of Washington" and said the plane controversy highlighted how out of touch Washington representatives are with the real world.

"Is it any wonder why so many people have lost faith in their government? Washington politicians live by these double-standards, and it's the people who literally foot-the-bill," Maness said. "Right now, we have two creatures of Washington running to represent voters who live in a complete alternate universe from the rest of us. One charters planes to get around the state, and the other doesn't believe participating in debates and forums is a good use of his time." The Republican Party conducted its own investigation into Landrieu's flights and found nine they believed to be improper. LAGOP Executive Director Jason Dore called the Landrieu report "shocking."

"With 43 illegal flights and more than 100 campaign events, this was clearly policy of her office to use taxpayer means whenever possible to attend events," Dore said. "Mary's staff has changed. The donors have changed. The one thing that has been constant is this is Mary Landrieu's office. She's the one responsible for this practice going on in her office."

The LAGOP had already filed an **official complaint** with the Senate Ethics Committee, however, the committee typically does not launch investigations during election season.

Republican National Committee Chairman Reince Priebus said the findings warranted a more in-depth investigation by an independent party. In light of the improper flights, Landrieu said she has implemented new office procedures to prevent errors from happening in the future.

The office will establish an operating account in the Senate Disbursing Office that will hold campaign funds in escrow. The pro-rated share of the cost of private charter flights owed by the campaign will be deposited in the senator's operating account.

Legal counsel, which had not been involved in the past, will determine in writing the appropriate amounts both the Senate and campaign accounts should pay.

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***Cole Avery** is a legislative and state politics reporter based in **Baton Rouge**. You can reach him on Twitter **@cole\_avery1** or email **ravery@nola.com**.*

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